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April 28, 2023

VIA ECF

The Honorable Margo K. Brodie
Chief United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Ng Chong Hwa a.k.a Roger Ng, 18 Cr. 538 (MKB)

Dear Chief Judge Brodie:

On March 9, 2023, this Court sentenced Mr. Ng to 120 months incarceration and set a surrender date to the Bureau of Prisons on May 4, 2023. As detailed in our sentencing memorandum and at length throughout the pendency of this case, Mr. Ng has not seen his daughter since his arrest in October 2018 and has seen his wife only once since he waived extradition to the United States. Since his sentencing, his wife and daughter have applied for tourist visas to the U.S., which will enable them to spend time with Mr. Ng before he surrenders. However, their appointment date with the U.S. Embassy in Kuala Lumpur is not until May 26, 2023. We have contacted the Government for assistance in hastening this process. It is unclear that the Government can do anything in this regard.

With the current schedule, Mr. Ng's wife and daughter expect to obtain the visas approximately one week after the appointment date and to travel to New York by the second week of June. Due to the amount of time Mr. Ng has spent away from his minor child, and the length of his sentence, we respectfully request that Mr. Ng be able to spend two months with his family before he surrenders. Accordingly, we request an extension of Mr. Ng's surrender date from May 4, 2023, until a date in August, 2023.

As the Court is aware, Mr. Ng has faithfully and meticulously abided by his release conditions since waiving extradition and voluntarily coming to the U.S. to face these charges four

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years ago. The Government concedes he is not a danger to the community and does not raise any meaningful argument that he is a risk of flight. The record is overwhelming that he is neither. We recognize that a request for a three-month extension of his surrender date is significant but so are the circumstances compelling us to make this request.

We have spoken with the Government regarding this application, and they oppose any extension of Mr. Ng's surrender date. Thank you for your consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marc A. Agnifilo', with a stylized, cursive script.

Marc A. Agnifilo

cc: Counsel for the Government (via ECF)